

**Maine Revised Statutes**  
**Title 27: LIBRARIES, HISTORY, CULTURE AND ART**  
**Chapter 13: ARCHAEOLOGY**

**§373-A. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1981, c. 55, §5 (NEW).]

**1. Artifact.** "Artifact" means a physical entity which has been worked or modified by human action.

[ 1981, c. 55, §5 (NEW) .]

**2. Authorized representative.** "Authorized representative" means any official or group of officials employed by the permittors or other competent person authorized in writing by the permittors.

[ 1981, c. 55, §5 (NEW) .]

**3. Excavation.** "Excavation" means any turning over, removal or disturbance of the soil, artifact in the soil or ground matrix or recovery or disturbance of artifacts that are fully or partially submerged in the water and tidal sites. "Excavation" includes, but is not limited to, activities such as purposeful looting, material procurement, construction activities or vandalism. In the case of private property the term "excavation" on a site does not include activities associated with agriculture or forestry unless specifically provided for in the permit or the preservation agreement as defined in Title 33, section 1551, subsection 2.

[ 1995, c. 146, §1 (AMD) .]

**3-A. Landowner.** "Landowner" means any person, corporation, partnership, organization or other legal entity, including a municipality, county or other political subdivision of the State, an agency of the Federal Government and any quasi-governmental entity, which owns or controls a site.

[ 1989, c. 171, §1 (NEW) .]

**4. Materials.** "Materials" means 3-dimensional items, other than artifacts and specimens, and excludes books, papers, manuscripts and archival or library material commonly included in the display or research collection of museums.

[ 1981, c. 55, §5 (NEW) .]

**5. Object.** "Object" means any archaeological monument, artifact, relic or article.

[ 1981, c. 55, §5 (NEW) .]

**6. Permittors.** "Permittors" means the Director of the Maine Historic Preservation Commission and the Director of the State Museum as well as the director of any state department administering state-controlled lands, acting in concert in the review, approval and granting of permits.

[ 1989, c. 700, Pt. A, §112 (AMD) .]

**7. Principal investigator.** "Principal investigator" means the senior scientist in charge of an archaeological excavation.

[ 1981, c. 55, §5 (NEW) .]

**7-A. Protected site.** "Protected site" means a site that is:

A. On or under state-controlled land and is:

(1) Listed in the National Register of Historic Places or judged eligible for national register listing by the Maine Historic Preservation Commission and, if the area is judged eligible for listing, the site designation is approved by the appropriate land managing agency director or local governing body; and

(2) Posted; [ 2013, c. 89, §2 (NEW) . ]

B. The subject of a preservation agreement between the landowner or landowners and the Maine Historic Preservation Commission pursuant to Title 33, section 1551 and is:

(1) Listed in the National Register of Historic Places; and

(2) Posted; or [ 2013, c. 89, §2 (NEW) . ]

C. Subject to section 378. [ 2013, c. 89, §2 (NEW) . ]

[ 2013, c. 89, §2 (NEW) . ]

**8. Site.** "Site" means an area containing archaeological artifacts or materials or other evidence of habitation, occupation or other use by historic or prehistoric people.

A. [ 2013, c. 89, §3 (RP) . ]

B. [ 2013, c. 89, §3 (RP) . ]

C. [ 2013, c. 89, §3 (RP) . ]

[ 2013, c. 89, §3 (AMD) . ]

**9. Specimen.** "Specimen" means any items, set of items or parts of items collected as representative samples of geological media or biological forms found within the State.

[ 1981, c. 55, §5 (NEW) . ]

**10. State-controlled land.** "State-controlled land" means any land or water area owned in fee simple by the State, with the exception of those lands contained within Baxter State Park. State-controlled land includes, but is not limited to, state parks, state recreation areas, wilderness and wildlife preserves, located public lots and land beneath great ponds or navigable bodies of water and other submerged lands owned by the State.

[ 1981, c. 55, §5 (NEW) . ]

#### SECTION HISTORY

1981, c. 55, §5 (NEW). 1981, c. 568, §§1-3 (AMD). 1989, c. 171, §1 (AMD). 1989, c. 700, §A112 (AMD). 1995, c. 146, §1 (AMD). 1999, c. 748, §1 (AMD). 2013, c. 89, §§2, 3 (AMD).

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